## CITY OF NEW ORLEANS OFFICE OF THE MAYOR

## MITCHELL J. LANDRIEU MAYOR

## EXECUTIVE ORDER MJL 11-03

WHEREAS, on August 24, 2011 Councilmember At-large Arnie Fielkow resigned his seat on the New Orleans City Council effective October 1, 2011;

WHEREAS, in accordance with Section 3-105(2)(b)(ii) of the Home Rule Charter of the City of New Orleans, if the City Council fails to fill a vacancy within thirty days of its occurrence, the Mayor shall appoint a qualified citizen to fill the vacancy;

WHEREAS, Section 18:583D(1) of the Louisiana Election Code provides that an appointment to fill an anticipated vacancy shall be made at the time the office is actually vacated, otherwise such appointment is premature and without effect;

WHEREAS, on September 22, 2011 the City Council appointed Eric Granderson to fill the vacant seat during the interim period until the vacancy is filled by special election;

WHEREAS, in light of the uncertainty under applicable law regarding when a vacancy occurs for purposes of filling an interim vacant seat on the City Council, it is in the interest of the City to ensure that each council district and the City at large are lawfully represented; and

WHEREAS, the Mayor is authorized and directed by Section 3-105(2)(b)(ii) of the Home Rule Charter to fill the vacant seat during the interim period.

NOW, THEREFORE, I, MITCHELL J. LANDRIEU, BY THE AUTHORITY VESTED IN ME as Mayor of the City of New Orleans by the Constitution and laws of the State of Louisiana and the Home Rule Charter and laws of the City of New Orleans, HEREBY ORDER AS FOLLOWS:

- 1. Effective Date: This Executive Order is effective October 1, 2011.
- 2. Purpose: The purpose of this Executive Order is to appoint Eric Granderson to fill the At-large City Council seat when it is vacated by Arnie Fielkow on October 1, 2011 until the seat is filled by special election.
- 3. Interim At-large Councilmember: Eric Granderson is hereby appointed as interim At-large Councilmember until the seat is filled by a special election to be held to fill the seat for the remainder of the term.

WITNESS MY HAND AND SEAL THIS 1st DAY OF OCTOBER, 2011 AT NEW

ØRLEANS, LOUISIANA.

Mitchell J. Landrieu, Mayor City of New Orleans